

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

GEORGE JURICH,

Plaintiff,

Case Number: 2:13-12544

v.

HONORABLE VICTORIA A. ROBERTS

HERMAN C. CAMPBELL,

Defendant.

ORDER DENYING PETITIONER'S MOTION TO AMEND COMPLAINT

Michigan state prisoner George Jurich filed a *pro se* civil rights complaint under 42 U.S.C. § 1983. He alleged that defendant, Herman C. Campbell, while serving as a Judge for Macomb County District Court, presided over a portion of Plaintiff's state criminal trial proceedings, despite lacking subject-matter jurisdiction. Plaintiff sought leave to proceed *in forma pauperis* under 28 U.S.C. § 1915(a)(1). On August 16, 2013, the Court dismissed the complaint without prejudice because Plaintiff has filed three prior civil rights complaints which have been dismissed as frivolous or for failure to state a claim upon which relief maybe be granted. *See* 28 U.S.C. § 1915(g). Now before the Court is Petitioner's Motion to Amend Complaint.

Plaintiff seeks to amend the complaint to include an additional claim that the defendant's challenged actions were non-judicial and, consequently, not protected by judicial immunity. The Court dismissed the complaint because Plaintiff was not

authorized to proceed *in forma pauperis*. Plaintiff's additional claim does not impact the Court's decision denying *in forma pauperis* status. The matter, therefore, remains closed and the Plaintiff's Motion to Amend Complaint is **DENIED**.

SO ORDERED.

S/Victoria A. Roberts
VICTORIA A. ROBERTS
UNITED STATES DISTRICT JUDGE

Dated: September 10 2013